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RUEHBY/AMEMBASSY CANBERRA 1512
RUEHNE/AMEMBASSY NEW DELHI 5001
RUEHUL/AMEMBASSY SEOUL 8594
RUEHKO/AMEMBASSY TOKYO 6163
RUEHCHI/AMCONSUL CHIANG MAI 1830
RUEHGV/USMISSION GENEVA 4023
RHHMUNA/CDR USPACOM HONOLULU HI
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C O N F I D E N T I A L SECTION 01 OF 03 RANGOON 000724

SIPDIS

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SUBJECT: CHARGE MEETS BURMA FOREIGN MINISTER: CIVIL
CONVERSATION; NO SURPRISES

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Classified By: P/E Chief Jennifer Harhigh for Reasons 1.4 (b) & (d)

11. (C) In a September 15 initial meeting with Burmese Foreign Minister Nyan Win, Charge reiterated the USG's strongly held views on human rights and political reform. The FM regretted Aung San Suu Kyi's (ASSK) refusal to meet with UN Special Representative Gambari and Liaison Minister Aung Kyi. The FM argued that U.S. sanctions are holding back Burma's economy and thus its progress on human rights issues. He explained his wish to conduct an oversight visit of the Burma Embassy in Washington, in conjunction with UNGA travel; and he claimed continued passport and visa difficulties for Embassy employees and visitors are not due to conscious policy decisions. In contrast, in a separate follow-on meeting, MOFA DG for Consular and Legal Affairs Min Iwin indicated we could expect continued obstacles to obtaining visas, temporary visas in particular, given difficult U.S.-GOB relations. End Summary.

CONTINUED ACCESS TO DELTA, OTHER REGIONS OF BURMA

12. (C) FM Nyan Win expressed appreciation for U.S. support for Cyclone Nargis victims, and noted that MOFA would do its best to accommodate requests for continued travel to the delta region to monitor assistance. He said Deputy Foreign Minister Kyaw Thu, in his position as Chair of the Tripartite Core Group, would be able to facilitate such requests. The Charge raised GOB restrictions on internal travel, noting the importance of diplomatic visits to other parts of the country in order to accurately observe conditions. Nyan Win replied that, with proper advance notice, Embassy employees are allowed to visit everywhere with the exception of border or insurgent areas.

FM: GOB HAS AN "OPEN DOOR" FOR GAMBARI, SYG BAN

13. (C) In response to Charge's inquiry about Nyan Win's key role in UN visits, the FM replied that Burma wishes to work with the UN and the international community. He added that in principle the GOB would agree to a return visit by Gambari

but that no date has been set. Nyan Win added that SYG Ban is to visit the region in December and the GOB has an open door should he wish to visit Burma. The Charge said the U.S. believes the UN has an important role to play. The U.S. and UN are in accord that resolution of differences ultimately requires movement on the GOB side, notably respect for human rights, the release of political prisoners including ASSK, and constructive dialogue about the path to democracy.

¶4. (C) When asked for his estimation of Gambari's most recent trip, Nyan Win failed to characterize it, observing merely that the UN Special Envoy had met with Prime Minister Thein Sein. The FM added that ASSK apparently refused to meet with Gambari due to the suggestions of her "political advisors." (Note: MFA officials, including the deputy head of Protocol, have separately expressed their belief that the U.S. was behind ASSK's refusal to see Gambari. End Note.) Nyan Win said that Gambari encouraged a meeting between ASSK and Liaison Minister Aung Kyi, but ASSK has repeatedly refused the offer, including as recently as Sunday, September 14.

ECONOMIC SANCTIONS HINDERING BURMA'S GROWTH

¶5. (C) The FM claimed he understands U.S. concerns about human rights, but he suggested rich countries could afford open democracy whereas poorer countries cannot. He said Burma, though not truly poor, is not yet a rich country, and its attempts to get richer are being stymied by U.S. sanctions on the economic sector. Burma needs help from the outside world, particularly in the form of foreign direct investment and economic aid. Thus, the U.S. should consider lifting some sanctions. Nyan Win observed that Burma's

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planned 2010 elections would usher in a new governing system, and that for democracy to take root Burma would need outside support. In response, the Charge noted that increased political openness is a necessary first step in changing Burma's status quo. By allowing debate to flow freely and constructively engaging the opposition, Burma could actually increase its internal security.

OVER 50 ELECTION LAWS NEEDED BEFORE 2010 ELECTIONS

¶6. (C) Responding to questions about the timeline for implementation of the constitution and planned 2010 elections, Nyan Win said he expects an English version of the constitution to be ready within the next few weeks. He added that nearly 50 laws (including the election commission law and the political party law) would need to be promulgated in order to implement the new governing system, and this is likely to take several months. The Charge urged the GOB to be transparent in the political process and rapidly so.

VISA FOR UNGA?

¶7. (C) Charge noted that the FM's visa application for travel to the UN General Assembly is still pending. Nyan Win reiterated his desire to conduct an oversight visit to the Burmese Embassy in Washington, which he has not received U.S. permission to do since assuming his current position in 2004. The FM noted that, if the Washington visit is still too difficult for the U.S. to accept, so be it. CDA said the Washington visit issue is still under discussion, but the visa for New York would certainly be ready in time for travel.

EMBASSY PASSPORT/VISA CONCERNS

¶8. (C) When queried as to whether the GOB's recent failures to issue passports to some local Embassy employees and the

seizure of at least two employees' passports had been a conscious policy decision, Nyan Win replied that he was unaware of the situation but would raise the Charge's concerns with the Minister of Home Affairs. Similarly, on the issue of temporary and long-term visas for official visitors and Embassy staff, the FM assured the Charge that there is no tit-for-tat policy in place. He said temporary visas are less problematic than long-term visas which require more time and further study. The FM was non-committal when Charge described the possible need for additional, full-time personnel, including to support post-Nargis assistance efforts and Embassy operations.

9.(C) In a follow-on meeting, DG for Consular and Legal Affairs Min Lwin admitted that due to poor relations between the GOB and the U.S. it is difficult for his office to recommend approval of all TDY visas. Min Lwin said he understands the U.S. rationale for TDY visitors; but he is under pressure from the top regarding the number of visas he issues and he faces additional scrutiny because he was posted in Washington for five years. To the top generals it appears temporary USG visitors come to Burma for assessments and data collection but otherwise contribute nothing. Min Lwin added that long-term visas for replacement personnel are generally not a problem but that it is more difficult to add new staff.

COMMENT

10. (C) The introductory call was civil in tone, even as it sounded familiar themes from both sides. The Foreign Minister gave appropriate thanks for U.S. humanitarian aid in the wake of Nargis, but he spent more time complaining about U.S. sanctions and the need for economic development as a precondition for progress on human rights and democracy issues. He seemed to share the paranoia voiced by his

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subordinates that the U.S. supposedly advised ASSK to try to derail the Gambari mission. When discussing the regime's planned elections and transition to a "new governing system," Nyan Win appeared to believe cosmetic changes in Burma's ruling structure should convince outside powers to increase engagement. He listened attentively to the U.S. counter-arguments, and seemed to indicate that the GOB is willing to engage in further conversation on the range of issues that trouble our bilateral relationship.
DINGER